



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Bamberg, Ulf et al. | Examiner: | Not assigned |
| Serial No.: | 09/980,466 | Art Unit: | Not assigned |
| Atty Docket: | P00619-US | | |
| Filed: | 06/01/1999 | | |
| For: | Ink-Jet Transfer Systems for Dark Textile Substrates | | |

REQUEST FOR RECONSIDERATION OF DECISION ON THE
PETITION UNDER 37 CFR § 1.47(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant, Arkwright, Inc., hereby requests reconsideration of the Decision on the
Petition Under 37 CFR § 1.47(b).

BACKGROUND

The Attorney-Advisor rejected the petition as being defective on several grounds. In particular, the Attorney-Advisor noted that the Applicant failed to provide adequate proof of the unavailability of the inventors ("Item (2)"), that the Applicant failed to provide the last known addresses of the inventors ("Item (3)"), that the Applicant failed to provide an acceptable oath or declaration executed by the Applicant on behalf of the non-signing inventors ("Item (4)"), and that the Applicant failed to provide adequate proof of the Applicant's proprietary interest in the subject matter of the present application ("Item (5)").

DISCUSSION

Applicant submits the following remarks and additional supporting documents in support of its request for reconsideration.

Regarding Item (2), a Declaration of Paul Ronchi is attached hereto providing detailed declaration of attempts he made to contact the inventors. Also attached is a declaration by the undersigned, which provides supplemental proof concerning the unavailability or refusal of the inventors to sign the application papers. Therefore, the Applicant believes that with the submission of the above-mentioned Affidavit and the Exhibits attached thereto, that this filing requirement of Rule 1.47(b) has been satisfied.

Regarding Item (3), the last known addresses for the inventors are as follows:

- (a) Ulf Bamberg. Kastanienweg 8, DE-79798, Jestetten, Germany.
- (c) Peter Kummer. Shaffhauserstrasse 19, CH-8213, Neunirch, Switzerland.
- (b) Ilona Stiburek. Kocklistrasse 6, CH-8004, Zurich, Switzerland.

The last known addresses of the inventors were originally identified in the declaration submitted in the original petition, but the same was not included in the petition per se nor stated as such. Therefore, Applicant believes that the above-correction satisfies this filing requirement of Rule 1.47(b).

Regarding Item (4), Applicant proffers the attached inventors declaration executed by Robert Conforti, the president of Arkwright, who has authority to execute the declaration on behalf of the inventors by virtue of its ownership of the claimed subject matter. Therefore, the Applicant believes that the newly executed declaration is in proper form to satisfy this filing requirement of Rule 1.47(b).

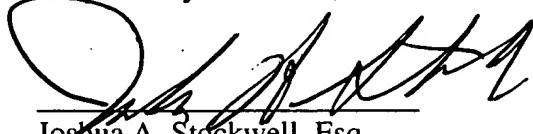
Regarding Item (5), an Affidavit by Herald Wuerges is attached that establishes that the inventors Stiburek, Kummer, and Bamberg invented the subject matter as claimed in the present application while under the employ of Océ (Schwiez) AG. Therefore, Applicant believes that this requirement of Rule 1.47(b) is satisfied.

CONCLUSION

Applicant avers that the above-arguments and the enclosed supporting documents satisfy the deficiencies the Attorney-Advisor found in the Petition Under 1.47(b), and therefore request favorable reconsideration on the merits.

The Office is hereby authorized to charge any additional required fee in connection with the filing of this paper or credit any overpayment to Deposit Account 02-0900.

Respectfully submitted,



Joshua A. Stockwell, Esq.
Reg. No. 54,580

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DECLARATION FOR UTILITY PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As Vice President of Technical Operations of Arkwright, Inc., to which the above-identified invention rightfully belongs, I declare that the information given herein is true, that I believe that Ulf Bamberg, Peter Kummer and Ilona Stiburek are the original and sole inventors of the subject matter claimed in the present application.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

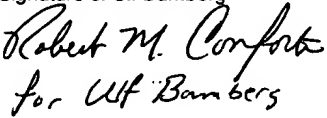
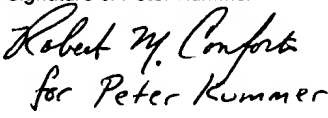
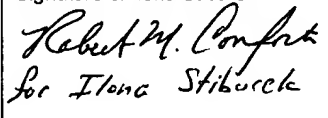
I hereby claim foreign priority benefits under Section 119 of Title 35 of the United States Code of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PCT Patent Application PCT/IB99/00976 filed on 06/01/1999

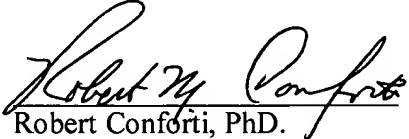
Please direct all correspondence to the contact information associated with Customer Number 3017.

| | | | | |
|-------------------------------------|---------------------|---------------------------------------|--------------------------------|-------------------------------------|
| Last Name Bamberg | First Name Ulf | Country of Citizenship Germany | City of Residence Jestetten | Country of Residence Germany |
| Post Address Kastanienweg 8 | | City Jestetten | Foreign Country Germany | Zip Code DE-79798 |
| Last Name Kummer | First Name Peter | Country of Citizenship Switzerland | City of Residence Neunkirch | Country of Residence Switzerland |
| Post Address Schaffhauserstrasse | | City Neunkirch | Foreign Country Switzerland | Zip Code CH-8213 |
| Last Name Stiburek | First Name Ilona | Country of Citizenship Switzerland | City of Residence Zurich | Country of Residence Switzerland |
| Post Address Kochlistrasse 6 | | City Zurich | Foreign Country Switzerland | Zip Code CH-8004 |

I further declare that all statements made herein of my own knowledge are true, and the all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|---|--|--|
| Signature of Ulf Bamberg  | Signature of Peter Kummer  | Signature of Ilona Stiburek  |
| Date March 15, 2006 | Date March 15, 2006 | Date March 15, 2006 |

Respectfully Submitted,


Robert Conforti, PhD.
Vice President, Technical Operations,
Arkwright, Inc.